

3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89169-5996
Facsimile (702) 949-8321
Telephone (702) 949-8320

Rob Charles NV State Bar No. 006593
Email: rcharles@lrlaw.com
John C. Hinderaker AZ State Bar No. 18024
Email: jhinderaker@lrlaw.com

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,

USA Capital Realty Advisors, LLC,¹

USA Capital Diversified Trust Deed Fund,
LLC,

USA Capital First Trust Deed Fund, LLC,²

USA Securities, LLC,³
Debtors.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR¹
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR²
Case No. BK-S-06-10729-LBR³

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**STATUS AND AGENDA FOR MAY
9, 2011 HEARING FILED BY
USACM LIQUIDATING TRUST**

Hearing Date: May 9, 2011
Hearing Time: 2:00 p.m.
Estimated Time of Hearing: 1.0 hour

¹ This bankruptcy case was closed on September 23, 2008.

² This bankruptcy case was closed on October 12, 2007.

³ This bankruptcy case was closed on December 21, 2007.

1. Motion For Approval of Compromise Settlement of Claims filed by Homfeld II, LLC as Edward W. Homfeld [DE 8277]

Filed Motion for Approval of Compromise Settlement of Claims filed by
2/15/11 Homfeld II, LLC and Edward w. Homfeld [DE 8277]

Status Hearing was continued from March 17, 2011. No objections were filed.
The USACM Trust will ask the Court to approve the settlement.

2. First Omnibus Objection Of USACM Trust To Proofs Of Claim Based Entirely Upon Investment In The Ocean Atlantic \$9,425,000 Loan: 06-10725 LBR USA Commercial Mortgage Company

Filed: First Omnibus Objection Of USACM Trust To Proofs Of Claim Based
03/31/11 Entirely Upon Investment In The Ocean Atlantic \$9,425,000 Loan
[8295]

Status No response filed. The USACM Trust will ask the Court to sustain the
objection.

3. Second Omnibus Objection Of USACM Trust To Proofs Of Claim Based Entirely Upon Investment In The Ocean Atlantic \$9,425,000 Loan: 06-10725-lbr USA Commercial Mortgage Company

Filed: Second Omnibus Objection Of USACM Trust To Proofs Of Claim
03/31/11 Based Entirely Upon Investment In The Ocean Atlantic \$9,425,000 Loan
[8296]

Filed: Stipulation to Extend Deadline to File Response to USACM Liquidating
4/26/11 Trust's Second Omnibus Objection to Proofs of Claim Based in Whole
or in Part Upon Investment in Ocean Atlantic Loan as to Proofs of Claim
of Norman Kiven and Continue Hearing [DE 8330]

Filed: Order Approving Stipulation to Extend Deadline to File Response to
4/27/11 USACM Liquidating Trust's Second Omnibus Objection to Proofs of
Claim Based in Whole or in Part Upon Investment in Ocean Atlantic
Loan as to Proofs of Claim of Norman Kiven and Continue Hearing [DE
8331].

Status No response filed, except for Norman Kiven. The USACM Trust will
ask the Court to sustain the objection, and to continue the hearing as to
Norman Kiven only.

1 **4. First Omnibus Objection Of USACM Trust To Proofs Of Claim Based**
2 **Entirely Upon Investment In The Oak Shores II Loan: 06-10725-lbr USA Commercial**
3 Mortgage Company

4 **Filed:** First Omnibus Objection Of USACM Trust To Proofs Of Claim Based
5 **04/11/11** Entirely Upon Investment In The Oak Shores II Loan [DE 8304]

6 **Status** No response filed. The USACM Trust will ask the Court to sustain the
7 objection.

8 **5. Second Omnibus Objection Of USACM Trust To Proofs Of Claim Based**
9 **Entirely Upon Investment In The Oak Shores II Loan: 06-10725-lbr USA Commercial**
10 Mortgage Company

11 **Filed:** Second Omnibus Objection Of USACM Trust To Proofs Of Claim
12 **04/11/11** Based Entirely Upon Investment In The Oak Shores II Loan [DE 8305]

13 **Status** No response filed. The USACM Trust will ask the Court to sustain the
14 objection.

15 **6. Third Omnibus Objection Of USACM Trust To Proofs Of Claim Based**
16 **Entirely Upon Investment In The Oak Shores II Loan: 06-10725-lbr USA Commercial**
17 Mortgage Company

18 **Filed:** Third Omnibus Objection Of USACM Trust To Proofs Of Claim Based
19 **04/11/11** Entirely Upon Investment In The Oak Shores II Loan [DE 8306]

20 **Status** No response filed. The USACM Trust will ask the Court to sustain the
21 objection.

22 **7. Fourth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In**
23 **Whole Or In Part Upon Investment In The Oak Shores II Loan: 06-10725-lbr USA**
24 Commercial Mortgage Company

25 **Filed:** Fourth Omnibus Objection Of USACM Trust To Proofs Of Claim Based
26 **04/11/11** In Whole Or In Part Upon Investment In The Oak Shores II Loan [DE
27 8307]

28 **Status** No response filed. The USACM Trust will ask the Court to sustain the
29 objection.

8. Fifth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole Or In Part Upon Investment In The Oak Shores II Loan: 06-10725-lbr USA Commercial Mortgage Company

Filed: Fifth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole Or In Part Upon Investment In The Oak Shores II Loan [DE 04/11/11 8308]

Status No response filed. The USACM Trust will ask the Court to sustain the objection.

9. Sixth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole Or In Part Upon Investment In The Oak Shores II Loan: 06-10725-lbr USA Commercial Mortgage Company

Filed: Sixth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole Or In Part Upon Investment In The Oak Shores II Loan [DE 04/11/11 8309]

Filed: A Stipulation to Extend Deadline to File Response to Sixth Omnibus Objection of USACM Liquidating Trust Proofs of Claim Based in Whole or in Part Upon Investment in The Shores II Loan as to Proofs of Claim of Donald H. Pinsker and Continue Hearing (as to Donald H. Pinsker only) has been sent to Mr. Pinsker for his review and signature.

Status No response filed, except that Donald Pinsker has contacted counsel and we are working with him to continue the hearing date. The USACM Trust will ask the Court to sustain the objection, except as to Donald Pinsker and continue the hearing as to Donald Pinsker only.

10. Seventh Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole Or In Part Upon Investment In The Oak Shores II Loan: 06-10725-lbr USA Commercial Mortgage Company

Filed: Seventh Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole Or In Part Upon Investment In The Oak Shores II Loan [DE 04/11/11 8310]

Status No response filed. The USACM Trust will ask the Court to sustain the objection.

Dated May 5, 2011.

LEWIS AND ROCA LLP

By: /s/ Rob Charles (#6593)
Rob Charles, NV 6593
John Hinderaker, AZ 18024 (*pro hac vice*)
Attorneys for USACM Liquidating Trust

PROOF OF SERVICE

COPY of the aforementioned sent via e-mail or U.S. First Class Mail postage prepaid on May 5, 2011 to the parties listed on Post-Effective Official Service List for Limited Notice No. 5 Dated March 31, 2009.

/s/ Marilyn Schoenike
Marilyn Schoenike
Lewis and Roca LLP